

COMMENT

The street is no place for dogs



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Swinging wildly between wanton killing of dogs and extreme 'pro-life' interventions, India has never framed a rational, scientifically valid dog ownership or population control strategy

Everyday, India wakes up to horrific stories of attacks on people by street dogs and equally horrific acts of cruelty towards dogs. There is extreme polarisation on this issue between the advocates of human rights versus animal rights. The lack of a critical and scientific analysis is glaring.

A dog is considered to be man's best friend, but there is, unfortunately, a dark side to having dogs on streets. More than 20 million people in India are bitten by dogs, and 20,000 die because of rabies, annually. Dogs also directly kill a dozen or more people, mostly children, every year.

Confused legislation

India, with the third highest dog population in the world, has some confused legislation to deal with this problem. In 2001, the Ministry of Culture issued the Animal Birth Control (Dogs) Rules, or the ABC rules, under the Prevention of Cruelty to Animals Act, 1960 (PCA Act). According to the ABC Rules, the population of street dogs must be controlled with sterilisation surgeries and these dogs are to be released from where they were caught.

However, these ABC Rules contravene the PCA Act in several places. Take Section 2(f) of the PCA Act, for instance, where an owner of an animal “...includes not only the owner but also any other person for the time being in possession or custody of the animal, whether with or without the consent of the owner.” This means that once municipal authorities and animal welfare organisations pick up free roaming dogs from the streets (and these dogs are unclaimed by anyone), they lawfully become the owners of those animals.

Further, Chapter 3, subsection 11 of the PCA Act clearly lists the responsibilities of owners and makes it an offence to “abandon any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst”, or “wilfully” permit any animal that is “affected with contagious or infectious disease or, without reasonable excuse, permits any diseased or disabled animals... to die in any street.”

By the logic of this subsection, the biggest offenders under the PCA Act are the state and animal welfare organisations themselves as they capture and then release dogs back on the streets. While the ABC Rules are silent on who is ultimately responsible for these animals, the PCA Act is clear.

There are also contradictions within the ABC Rules. Subsection 7(9) states: “...female dogs found to be pregnant shall not undergo abortion (irrespective of stage of pregnancy) and sterilisation and should be released till they have litter.” This means that the law meant to control stray dog populations suggests that dogs should be born on the streets!

Commendably, India became one of the first countries globally to provide rights to domestic animals so that they may be protected against cruelty. However, the ABC Rules, in requiring the release of unclaimed dogs to an unsupervised life on the streets where nobody is held responsible, directly undermine the spirit and the letter of the law.

An exalted position

These self-contradictory rules place street dogs in an administrative grey zone. They are not owned by anyone but are not wildlife either. Municipal and State authorities are duty-bound to control any animal, whether mosquitoes or rats, that can spread diseases to humans (under various Municipal Acts). However, ABC Rules prohibit the confinement or killing of dogs unless they are mortally wounded or sick. But what is bizarre is that the rules also forbid euthanising suspected rabid animals. Instead, they demand that these dogs be kept in isolation till they die a “natural” but slow, horrible death. Thus, neither people nor dogs are protected. Such an exalted position is not given to any other animal in India.

This extreme level of protection for dogs is unheard of even in countries with strict animal welfare laws. The removal and euthanasia of unowned dogs is routinely practised throughout the developed world. For example, in 2013, the Humane Society of the U.S. reported euthanasia of 3.4 million unowned dogs and cats in the USA. In the U.K., an owned dog that is considered dangerous can be “destroyed” and the owner penalised or jailed. These laws accept that the welfare of companion animals is best served in homes rather than on the streets.

Belling the wrong dog

What is the cost of the dog problem in India? Other than the terrible human costs associated with direct and indirect fatalities, the treatment of 20 million bite cases annually runs to hundreds of crores of rupees, and results in the loss of 38 million man-hours (2003 survey). A large number of vehicle accidents result from collision with or avoidance of dogs. The cost of the ABC programmes implemented across the country alone runs into several crores, but this is just a drop in the bucket compared to what it would actually cost to fix the problem.

The ABC programme as implemented will not result in bringing down the dog population in India for several reasons. One, it is logistically and operationally challenging to sterilise 50 millions dogs. Two, unsterilised dogs will always “spill over” into areas where sterilisation has been done. Three, the infrastructure needed for such large-scale surgical interventions do not exist. Instead, shady NGOs currently keep and operate on dogs in deplorable conditions. These are examples of real animal cruelty.

For more than a century, India has swung wildly between wanton killing of dogs and extreme “pro-life” interventions. It has never framed a rational, scientifically valid, and widely implementable dog ownership or population control strategy. We need

to make a decision; to call dogs our best friends should mean that we don't abandon them on streets. The street is no place for a dog – both for the welfare of humans as well as for dogs.

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Corrections & Clarifications:

A sentence in a report read: “For example, in 2013, *the Humane Society of the U.S. euthanised 3.4 million unowned dogs and cats.*” It should have read, “For example, in 2013, *the Humane Society of the U.S. reported euthanasia of 3.4 million unowned dogs and cats in the USA.*” The writers regret this oversight.

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